



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 12, 2020

By ECF

The Honorable Valerie E. Caproni
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Sheldon Silver*,
S1 15 Cr. 93 (VEC)

Dear Judge Caproni:

The Government respectfully writes in the above-captioned matter to advise the Court that the parties have reached an agreement in principle regarding forfeiture. As set forth in the Government's letter of June 4, 2020, in light of the vacatur of the honest services and extortion counts resting on the asbestos scheme, there are three categories, in sum, of funds or property remaining subject to criminal forfeiture: proceeds from the honest services and extortion counts resting on the real estate scheme; property involved in the money laundering count; and growth/gain on the same. Based on review of the prior Presentence Investigation Report, exhibits introduced into evidence at the trial and/or retrial, and other documents, the parties have reached the following agreement with respect to these three categories:

With respect to the first of category, Silver will forfeit \$835,315.72 (comprising \$681,907.46 in fees paid to Silver, plus \$153,408.26 in fees owed to, but not paid to, Silver at the time of his arrest).

With respect to the second category, Silver will forfeit:

1. The entirety of those accounts/investments involved in the money laundering count and listed in the prior consent order of forfeiture (Dkt. No. 482) at pages 3-4, subparagraphs h-o, including any disbursements to the Marshals Service, and which accounts/investments the Government understands have been liquidated in part; plus
2. \$240,994.12 (an estimate of the funds involved in this conduct derived from pre-2008 referrals of patients of Dr. Robert Taub to Silver).

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With respect to the third category, Silver will forfeit:

1. Any gain on the accounts/investments noted above (by virtue of forfeiting the accounts/investments in their entirety); plus
2. \$279,617.26 (an estimate of the growth on criminal proceeds not otherwise accounted for above).

In sum, the parties have agree that Silver will forfeit \$1,355,927.10, plus the entirety of those accounts/investments listed above or the funds previously in such accounts/investments to the extent already liquidated.

The Government will soon commence the process of drafting a proposed consent order of forfeiture memorializing this agreement, along the lines previously executed by the parties and so-ordered by the Court, which proposed order will contain both a money judgment and the forfeiture of specific property. The parties anticipate that, barring any unforeseen issues, they will be able to present this proposed order for the Court's consideration on or before next Friday, June 19, 2020.

Respectfully submitted,

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cc: (by ECF)

Counsel of Record